THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 1748 of 2007

Dated: 01.02.2007

Between:

S.V.K.Pavan Kumar and others.

....
PETITIONERS

AND

The A.P.Southern Power Distribution Company Ltd., rep. by its Chairman & Managing Director, Tirupathi, Chittoor District.APSPDCL & others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No. 1748 of 2007

Order:

Questioning the action of the respondents-SPDCL in prescribing a new clause in the revised notification i.e., Clause No. 6(I)(iv)(a), to the effect that preference will be given to those who presently serving as contract labour for manning of Sub-Stations or any other work in Transco/Discoms with recorded evidence through Sub-Station Log Books/EPF numbers to be certified by the concerned Divisional Engineer for appointment to the post of Junior Lineman, the petitioners filed the present writ petition.

The petitioners state that the respondents issued Notification No.06/2006, inviting applications from eligible male candidates for filing up vacancies of Junior Lineman on yearly contract basis. Thereafter, the petitioners state that the respondents issued revised Notification, which according to the petitioners, had restricted the recruitment only to contract labour presently working through the contractors in the respective operation circles. The petitioners state that since the revised

notification had restricted the recruitment only to candidates presently working as contract labour, and they not being presently working contract labour, are excluded from being considered.

Heard the learned counsel for the petitioners and the learned Standing Counsel for the respondents-APSPDCL.

I am unable to agree with the contention of the petitioners. The notification issued by the respondents for recruitment on contract basis for a period of one year is a general notification. However, to give preference to contract labour, the respondents have issued the revised notification. The revised notification, in no manner excludes the non-contract labour from applying or being considered. What all the revised notification states is that if the applicants satisfy the criteria for selection as provided in clauses (i) to (iii), preference will be given to those who are presently serving as contract labour as provided in clause (iv)(a) to (d), and to give effect to that clause and to identify the presently working contract labour, the respondents directed to produce recorded evidence through Sub-Station Log Books/E.P.F. Numbers to be certified by the concerned Divisional Engineer for consideration of their cases for recruitment as contract Junior Linemen. Merely because the revised notification had provided for giving preference to the contract labour already working through various contractors for the respondents, it cannot be said that the non-contract labour have been excluded from applying or being considered for selection. If the petitioners satisfy the criteria of selection, as provided in clauses (i) to (iii), they are always entitled to apply. Therefore, I find nothing wrong in the respondents issuing the

revised notification.

There is no merit in the writ petition, and the same is accordingly dismissed.

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N.V. RAMANA, J.

Date:01.02.2007

sj/nsr